

# Andrew 9/14/2007 Press Release

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## Andrew Will Seek to Overturn US Court Decision in Geolocation Patent Suit

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**WESTCHESTER, IL, September 14, 2007**—Andrew Corporation, a global leader in communications systems and products, will seek to set aside today's US District Court jury verdict in a patent infringement lawsuit and continue its focus on providing innovative mobile location systems that benefit the world's wireless operators and their customers.

Federal court jurors in Wilmington, Del., ruled in favor of TruePosition, Inc., finding that Andrew had willfully infringed a single TruePosition patent in providing a geolocation system to a customer in the Middle East. The jury's decision to award \$45.3 million in damages, as well as the underlying issue of Andrew's liability, is subject to the outcome of various post trial motions and appeals that Andrew will vigorously pursue. Although TruePosition may seek to increase the damages awarded, up to trebling the amount, Andrew believes any damages awarded, including any increase, is inappropriate.

"We are extremely disappointed in the jury's ruling and strongly disagree with this outcome," said Terry Garner, group president, Andrew Network Solutions. "We will fight aggressively to overturn this verdict, either at the trial court level or on appeal, so that wireless operators all over the world are not restricted from choosing geolocation systems that work best for their networks. Andrew believes that this verdict ultimately will be reversed.

"Our number one focus has been, and continues to be, on the needs of our customers. We look forward to competing and winning where it matters most—in the global communications marketplace where wireless operators benefit from our industry leading geolocation offerings."

TruePosition filed its complaint on October 25, 2005 in the US District Court for the District of Delaware. At issue was a patent that TruePosition argued was infringed by an Andrew uplink time difference of arrival (U-TDOA) mobile location system that is being deployed under a multiyear contract with a Tier 1 operator in the Middle East. Andrew has since won two additional contracts with

B1

this customer for an expanded deployment of this strategic project which, when completed, will cover a network of thousands of cell sites.

Andrew does not believe today's ruling will affect its Middle East customer or its installed mobile location system. In addition, the patent at issue relates only to certain implementations using U-TDOA technology. As a result, other Andrew Geometrix® customer installations, including E-911 systems and Mobile Location Center offerings, that use different geolocation technologies also are not impacted.

Geolocation systems installed in wireless networks are used to determine the position of mobile devices. With more than 30 customers around the world, Andrew's Geometrix location systems have been installed by more operators than any competing system. Geometrix precisely meets the location-based service performance, deployment, and cost requirements of operators worldwide.

*Geometrix is a registered trademark of Andrew Corporation.*

### **Forward-Looking Statements**

Some of the statements in this news release are forward-looking statements and we caution our stockholders and others that these statements involve certain risks and uncertainties. Factors that may cause actual results to differ from expected results include fluctuations in commodity costs, the company's ability to integrate acquisitions and to realize the anticipated synergies and cost savings, the effects of competitive products and pricing, economic and political conditions that may impact customers' ability to fund purchases of our products and services, the company's ability to achieve the cost savings anticipated from cost reduction programs, fluctuations in foreign currency exchange rates, the timing of cash payments and receipts, end use demands for wireless communication services, the loss of one or more significant customers, and other business factors. Investors should also review other risks and uncertainties discussed in company documents filed with the Securities and Exchange Commission.

*Andrew Corporation (NASDAQ: ANDW) designs, manufactures, and delivers innovative and essential equipment and solutions for the global communications infrastructure market. The company serves operators and equipment manufacturers from facilities in 35 countries. Andrew (www.andrew.com), headquartered in Westchester, IL, is an S&P MidCap 400 company founded in 1937.*

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# Series of Emails Regarding Mr. Rosenbrock's Testimony

**Shira  
Kapplin/Chicago/Kirkland-Elli  
s**

08/28/2007 12:36 PM

To pbmilcet@woodcock.com, akessel@woodcock.com  
cc Michael Parks/Chicago/Kirkland-Ellis, Rachel Pernic  
Waldron/Chicago/Kirkland-Ellis, Avi Lele/New  
York/Kirkland-Ellis@K&E, Greg Arovas/New  
York/Kirkland-Ellis@K&E  
Subject TruePosition v. Andrew

Counsel:

If TruePosition would like to take the deposition of Mr. Rosenbrock, who appears on Andrew's Amended Witness List, please email me to schedule a date.

Regards,  
Shira

**Shira J. Kapplin | KIRKLAND & ELLIS LLP**  
J.

200 E. Randolph Dr. - 54th Floor | Chicago, IL 60601  
312.861.3170 PH | 312.861.2200 FAX  
773.396.3426 CELL | 011.81.80.5193.4077 JP CELL

skapplin@kirkland.com | www.kirkland.com/skapplin

"Milcetic, Paul B. (Woodcock Washburn)" <pbmilcet@woodcock.com>



"Milcetic, Paul B. (Woodcock Washburn)"  
<pbmilcet@woodcock.com>  
08/28/2007 07:00 PM

To "Shira Kapplin" <SKapplin@kirkland.com>, "Kessel, Amanda M. (Woodcock Washburn)" <akessel@woodcock.com>  
cc "Michael Parks" <mparks@kirkland.com>, "Rachel Pernic Waldron" <rpernicwaldron@kirkland.com>, "Avi Lele" <alele@kirkland.com>, "Greg Arovas" <garovas@kirkland.com>  
Subject RE: TruePosition v. Andrew

Shira:

Just a couple of questions. Where and when is Mr. Rosenbrock available for deposition?

Also is he a client of Kirkland & Ellis? Is he an expert witness? Would he be made available to testify during TruePosition's case in chief?

Regards,

Paul

-----Original Message-----

**From:** Shira Kapplin [mailto:SKapplin@kirkland.com]  
**Sent:** Tuesday, August 28, 2007 1:37 PM  
**To:** Milcetic, Paul B. (Woodcock Washburn); Kessel, Amanda M. (Woodcock Washburn)  
**Cc:** Michael Parks; Rachel Pernic Waldron; Avi Lele; Greg Arovas  
**Subject:** TruePosition v. Andrew

Counsel:

If TruePosition would like to take the deposition of Mr. Rosenbrock, who appears on Andrew's Amended Witness List, please email me to schedule a date.

Regards,  
Shira

**Shira J. Kapplin | KIRKLAND & ELLIS LLP**


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\*\*\*\*\*  
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the use of the addressee. It is the property of  
Kirkland & Ellis LLP or Kirkland & Ellis International LLP.  
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communication or any part thereof is strictly prohibited  
and may be unlawful. If you have received this  
communication in error, please notify us immediately by  
return e-mail or by e-mail to postmaster@kirkland.com, and  
destroy this communication and all copies thereof,  
including all attachments.  
\*\*\*\*\*

**Shira**  
**Kapplin/Chicago/Kirkland-Ellis**  
08/29/2007 02:35 PM

To "Milcetic, Paul B. (Woodcock Washburn)"  
<pbmilcet@woodcock.com>  
cc "Kessel, Amanda M. (Woodcock Washburn)"  
<akessel@woodcock.com>, "Avi Lele"  
<alele@kirkland.com>, "Greg Arovas"  
<garovas@kirkland.com>, "Michael Parks"  
<mparks@kirkland.com>, "Rachel Pernic Waldron"  
<rpernicwaldron@kirkland.com>  
Subject RE: TruePosition v. Andrew 

Counsel:

Thanks for your email. We will inquire as to Mr. Rosenbrock's availability, etc. and get back to you.

Shira

**Shira J. Kapplin | KIRKLAND & ELLIS LLP**

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Shira  
Kapplin/Chicago/Kirkland-Elli  
s  
08/31/2007 12:27 PM

To pbmilcet@woodcock.com, akessel@woodcock.com  
cc Avi Lele/New York/Kirkland-Ellis@K&E  
Subject TruePosition v. Andrew

Counsel:

We have inquired into Mr. Rosenbrock's availability. He is available for a deposition in Wilmington starting midweek the week of the 3rd, or possibly by telephone or video this Sunday the 2nd. Please let us know what you prefer.

Regards,  
Shira

**Shira J. Kapplin | KIRKLAND & ELLIS LLP**

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Declaration of Oskar  
Magnusson In Support of  
Andrew's Opposition to  
TruePosition's Motion to Strike

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**TRUEPOSITION, INC.,**

**Plaintiff and  
Counterclaim-Defendant,**

**v.**

**Civil Action No. 05-00747-SLR**

**ANDREW CORPORATION,**

**Defendant and  
Counterclaim Plaintiff.**

**DECLARATION OF OSKAR MAGNUSSON IN SUPPORT OF ANDREW'S  
OPPOSITION TO TRUEPOSITION'S MOTION TO STRIKE**

1. I, Oskar Magnusson, make this declaration upon personal knowledge, and if called to testify, could and would testify as follows.

2. I am currently the Business Director for Asia Pacific at Andrew Corporation and have worked on standardization issues since about January 2003. During the course of my standards work, I have attended 3GPP and ETSI meetings and am familiar with their practices and documentation, including their websites and the documentation that is located on those websites.

3. At its 27-28 November 2007 meeting, the ETSI General Assembly decided to issue the following reminder to all ETSI members: "ETSI members are reminded of their obligations to declare IPR under the ETSI IPR Policy, including its existing provisions relating to options." This decision is reported in a document titled "ETSI/GA50 decisions/actions," a true and correct copy of which was attached as Exhibit B of my December 17, 2007 declaration and is also attached to this declaration as Exhibit 1 for convenience. This document is available online to all ETSI members at the ETSI website.

4. Attached as Exhibit 2 is a true and correct copy of a document titled "GA#50 - List of Participants" for the 27-28 November 2007 General Assembly meeting. This document is available online to all ETSI members at the ETSI website. All participants were free to speak at the GA meeting to express any of their views. No one objected to the reminder (see paragraph 3 above) that the GA decided to issue.

5. On 18-19 December 2007, ETSI held a meeting of its Intellectual Property Rights Committee (IPRC) at ETSI headquarters in Sophia Antipolis, France. I attended both days of the IPRC meeting, as did two representatives from TruePosition, Fred

Beckley and Matthew Ward. Also in attendance were representatives from a number of other companies (including, for example, Qualcomm, T-Mobile, Nokia, Motorola, Ericsson, Interdigital, Vodafone, and IBM), and the ETSI Secretariat (for example, the ETSI Legal Advisor).

6. Attached as Exhibit 3 is a true and correct copy of an "Attendees List" for the IPRC meeting. This document is available online to all ETSI members at the ETSI website.

7. A true and correct copy of a "Draft Agenda and Timetable" for the IPRC meeting is attached as Exhibit 4. This document is available online to all ETSI members at the ETSI website. Item 6 on the agenda is "Options within Standards and Technical Specification." That agenda item is directed to the reminder that the ETSI General Assembly issued to all ETSI members (see paragraph 3 above).

8. Agenda items were covered at the IPRC meeting in numerical order. When the Chairman of the IPRC got to item 6, he described the agenda item and the corresponding decision of the General Assembly to issue the reminder. He asked if there were any "comments, questions, objections" to that particular GA decision. No one in the room said anything, not even the representatives from TruePosition. The IPRC Chairman then declared agenda item 6 to be closed, and moved on to the next agenda item.

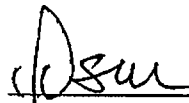
9. Exhibit A of my December 17, 2007 declaration is a copy of an October 19, 2007 letter that the Director-General of ETSI sent to Ms. Terri Brooks of TruePosition, Inc., c/o Rob Anderson. ETSI sent me a courtesy copy of the letter the following week. Attached as Exhibit 5 are true and correct copies of the October 19, 2007 letter to

TruePosition, and an October 23, 2007 cover letter addressed to me enclosing the courtesy copy of the October 19 letter.

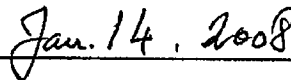
10. Earlier today, I contacted ETSI and learned that TruePosition has never responded to the October 19, 2007 letter it received from the ETSI Director-General to object to anything in the letter, ask questions about the letter, comment on the letter, seek clarification of any aspect of the letter, or for any other purpose. In short, there has been no communication from TruePosition back to ETSI regarding the Director-General's October 19 letter.

11. Based on my experience as a standards representative and attending standards meetings in 3GPP and ETSI, it is the regular practice of ETSI to document the decisions and actions taken in its meetings, and to make the documentation available to ETSI members online in the regular course of business. An ETSI official (e.g., the Secretary of the relevant committee) prepares and records such documentation, and does so at or near the time of the meeting.

**I declare under penalty of perjury that to the best of my knowledge, the foregoing is true and correct.**



Oskar Magnusson



Date



# Exhibit 1


**ETSI 50th General Assembly meeting  
Nice, 27-28 November 2007**

**Source:** GA Secretary

**Title:** Draft decisions and actions from GA#50

**1 Draft decisions from GA#50**

<b>D-GA50/1</b>	The GA approved a reduced first unit of contribution for Universities and Public Research Bodies set to 2000 EUR under the 2007 budget [D-GA49/12 {SCM}] [CL_07_2535] (Decision taken by Correspondence).
<b>D-GA50/2</b>	The GA approved an update to the scope of the 3GPP Agreement to allow 3GPP to contribute to the ITU's IMT-A work and authorized the Director-General to sign the revised agreement on behalf of ETSI [CL_07_2559] (Decision taken by Correspondence).
<b>D-GA50/3</b>	The GA unanimously approved the minutes of the 49th General Assembly [ETSI/GA49(07)42 rev.1].
<b>D-GA50/4 {SCM}</b>	The GA unanimously approved a change to Article 10.3 of the ETSI Rules of Procedure concerning the date for declaration of membership fees [ETSI/GA50(07)SCM02].
<b>D-GA50/5 {SCM}</b>	The GA unanimously approved changes to Annex 2 clauses 10 and 11 of the ETSI Rules of Procedure concerning the alignment of inconsistencies with the rest of the Annex [ETSI/GA50(07)SCM04 rev.1].
<b>D-GA50/6 {SCM}</b>	The GA unanimously approved changes to Annex 1 and Annex 2 of the ETSI Rules of Procedure to allow Micro-Enterprises to pay a reduced first unit of contribution [ETSI/GA50(07)SCM03].
<b>D-GA50/7</b>	The GA unanimously approved all applications for new membership and all modifications to the existing membership [ETSI/GA50(07)20 rev.2].
<b>D-GA50/8</b>	The GA unanimously approved the allocation of a weighting of 7 to the National Delegation of Serbia and a consequential amendment to Annex 3 of the ETSI Rules of Procedure [ETSI/GA50(07)29].
<b>D-GA50/9</b>	The GA unanimously approved the allocation of a weighting of 4 to the National Delegation of Georgia and a consequential amendment to Annex 3 of the ETSI Rules of Procedure [ETSI/GA50(07)30].
<b>D-GA50/10</b>	The GA unanimously endorsed the Board decision related to the transfer of work from TISPAN to 3GPP that ETSI members who have participated in TISPAN meetings during 2007 are entitled to participate in 3GPP as ETSI members at no extra cost during the remaining part of 2007 - as an exception - in order to ensure a smooth transition, in particular for SMEs [ETSI/GA50(07)24 slide 3].
<b>D-GA50/11</b>	<p>The GA unanimously appointed:</p> <ul style="list-style-type: none"> <li>• Mr. Didier Chauveau, Ministère de l'économie, des finances et de l'emploi (FR)</li> <li>• Mr. Anders Gunnarsson, Telia SONERA AB (SE)</li> <li>• Mr. Juergen A. Hammerschick, VODAFONE D2 GmbH (DE)</li> <li>• Mr. Josef Schmid, Informatik Strategieorgan Bund (CH)</li> <li>• Mr Jari Vainikka, Nokia Corporation (FI)</li> </ul> <p>as members of the Finance Committee for two years from November 2007 until November 2009 [ETSI/GA50(07)08] – except for Mr. Gunnarsson who will stand down on 1 September 2008.</p>
<b>D-GA50/12</b>	The GA unanimously approved the ETSI Strategy 2008 [ETSI/GA50(07)22].

**ETSI/GA50 decisions/actions**

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<b>D-GA50/13</b>	The GA unanimously endorsed the ETSI Secretariat Business Plan 2008 [ETSI/GA50(07)33 rev.1].
<b>D-GA50/14</b>	The GA approved anticipation in 2007 of the STF funding earmarked for 2008 (180k EUR) [ETSI/GA50(07)07].
<b>D-GA50/15</b>	The GA approved a 2008 budget of 24,5 MEUR [ETSI/GA50(07)07] with: <ul style="list-style-type: none"> <li>• the first Unit of Contribution set to 6 000 EUR (unchanged),</li> <li>• subsequent units set to 3 380 EUR (unchanged),</li> <li>• the Observer fee maintained at 4 000 EUR (unchanged),</li> <li>• the first Unit of Contribution for not-for-profit User Associations maintained at 2 000 EUR (unchanged),</li> <li>• the first Unit of Contribution for Universities &amp; Public Research Bodies maintained at 2 000 EUR (unchanged),</li> <li>• the first unit of contribution for Micro-Enterprises set to 3 000 EUR (new),</li> <li>• 3GPP minimum entry point of 3 Units of Contribution (reduced to 2 units for SMEs, Micro Enterprises, Users, Universities and Public Research Bodies). These minimum contribution levels need not apply where administrations or companies with more than one membership make an overall contribution that exceeds 20k€ multiplied by the number of 3GPP memberships held by the administrations or company (modified).</li> </ul>
<b>D-GA50/16</b>	ETSI members are reminded of their obligations to declare IPR under the ETSI IPR Policy, including its existing provisions relating to options.
<b>D-GA50/17</b>	The GA approved a Memorandum of Understanding with the Organization for the Advancement of Structured Information Standards (OASIS) [ETSI/GA50(07)13].
<b>D-GA50/18</b>	The GA approved a Memorandum of Understanding with the European Research Consortium for Informatics and Mathematics (ERCIM) [ETSI/GA50(07)14].
<b>D-GA50/19</b>	The GA approved a Co-operation Agreement with the IPsphere Forum [ETSI/GA50(07)15].
<b>D-GA50/20</b>	The GA approved the renewal of the Co-operation Agreement between ETSI and the Telecommunications Industry Association of the USA (TIA) [ETSI/GA50(07)16 rev.1].
<b>D-GA50/21</b>	The GA approved the renewal of the Co-operation Agreement between ETSI and the DSL Forum [ETSI/GA50(07)17].
<b>D-GA50/22</b>	The GA approved a Memorandum of Understanding with the China Electronics Standardization Institute (CESI) [ETSI/GA50(07)19].
<b>D-GA50/23</b>	The GA endorsed a letter to CEN/CENELEC concerning the Future landscape of European standardization [ETSI/GA50(07)28 rev.1].

**2 Draft actions from GA#50**

<b>A-GA50/1</b>	ETSI Board	to consider if ETSI should deal with apparent inconsistencies in members' ECRT declarations and if so how. Consideration should take into account the discussion under agenda item 3 of the GA meeting. The Board should consult with the Finance Committee as necessary.
<b>A-GA50/2</b>	GA Chairman & Director-General	in consultation with the Board, to further develop the Long Term Vision group proposal [ETSI/GA50(07)09] & [ETSI/GA50(07)10] and to bring a revised proposal to GA#51.

**ETSI/GA50 decisions/actions**

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<b>A-GA50/3</b>	Finance Committee	to review the budget presentation proposals suggested in [ETSI/GA50(07)31] and to report back to GA#51. Where necessary, this should include consultation with the authors of the proposal to clarify their intentions, and consultation with the Board and ETSI Secretariat, where necessary.
<b>A-GA50/4</b>	ETSI Board	to examine the issues of "rubber-stamping", "normative referencing" and PAS procedure in the context of ETSI re-use of standards from external organizations, and to report back to the GA.
<b>A-GA50/5</b>	IPR Special Committee	to examine Section 5.1a), b) (1) & c) of [ETSI/GA50(07)18] and Section 5a of [ETSI/GA50(07)36] in the context of IPR issues which may arise, and to report back to the GA.
<b>A-GA50/6</b>	GA Chairman	to prepare proposals concerning the expiry in June 2009 of the term of office of the current Deputy Director-General [ETSI/GA50(07)11].
<b>A-GA50/7</b>	ETSI Board	to consider the issues raised in document [ETSI/GA50(07)35] bring back to the GA only if necessary.

# Exhibit 2



**ETSI/GA50(07)03**

CB  
Submission date: 28 November 2007  
page 1 of 1

<p align="center"><b>ETSI 50th General Assembly meeting Nice, 27-28 November 2007</b></p>
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**Source:** GA Secretary

**Title:** GA#50 - List of Participants

**Agenda item:** -

**Document for:**

Decision	
Discussion	
Information	X

Late submission	
-----------------	--

## Participants List

### ETSI General Assembly #50 Nice, 27-28 November 2007

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14/01/2008

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ETSI General Assembly #50  
Nice, 27-28 November 2007

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## Participants List

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ETSI General Assembly #50  
Nice, 27-28 November 2007

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Nice, 27-28 November 2007

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Nice, 27-28 November 2007

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# ETSI General Assembly #50

## Nice, 27-28 November 2007

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# Exhibit 3



**ATTENDEES LIST****Meeting : IPR#1****IPR#1****Sophia Antipolis, 18 - 19 December 2 007****Chairman**

MEINHOLD Karsten	Nokia Siemens Networks	DE
------------------	------------------------	----

**SECRETARY**

PRITCHARD Julian	ETSI Secretariat	FR
------------------	------------------	----

ABARCA Chelo	Research in Motion UK Limited	GB
ANDERSEN Niels Peter Skov	QUALCOMM EUROPE S.A.R.L.	FR
ASTHANA Atul	Research in Motion UK Limited	GB
BECKLEY Frederic	TruePosition Inc.	US
BERGMANN Ansgar	Hillebrand & Partners	DE
BOLES Donald	INTERDIGITAL COMMUNICATIONS	US
CARPENTER Paul	Research in Motion UK Limited	GB
CUNNINGHAM Nick	INTERDIGITAL COMMUNICATIONS	US
DAVIES William	Research in Motion UK Limited	GB
DECKER Ute	Microsoft Ltd	GB
DIETRICH yann	INTEL CORPORATION SAS	FR
DOR Margot	ETSI Secretariat	FR
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GROOT KOERKAMP Jasper	NXP Semiconductors	NL
HEISKE Harald	Siemens AG	DE
HENGEOß Karl-Heinrich	ROHDE & SCHWARZ	DE
JUTHSTRÖM Bernt	NOKIA Corporation	FI
KONSTANTINOS Karachalius	European Patent Organisation	NL
LEGRAND Walter	EADS Secure Networks	FR
LEHOUCK Anne	European Commission	BE
LELE Avi	ANDREW AG	GB
MAGNUSSON Oskar	Andrew Corporation	US
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MUNKLER Markus	VODAFONE Group Plc	GB
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TRONCHON Stephane	QUALCOMM UK Ltd	GB
TYSON Shannon	BROADCOM CORPORATION	US
VAARIO Jari	NOKIA Corporation	FI

## ATTENDEES LIST

Meeting : IPR#1

IPR#1

Sophia Antipolis, 18 - 19 December 2 007

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VERMEER Anouk	Philips International B.V.	NL
VIRMANI Shival	INTERDIGITAL COMMUNICATIONS	US
WANJURA Harald	T-Mobile Austria GmbH	AT
WARD Matthew	TruePosition Inc.	US
WEILER Dirk	Nokia Siemens Networks	DE

Number of Attendees: 50

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# Exhibit 4

**ETSI IPR#01**  
**Sophia Antipolis**  
**18-19 December 2007**

**ETSI/IPR01(07)01**

Author: Karsten Meinhold  
 Submission date: 13 September 2007  
 page 1 of 2

**Source:** Karsten Meinhold, Chairman

**Title:** Draft Agenda & Timetable

**Agenda item:** all

**Document for:**

Decision	X
Discussion	
Information	

Late submission	
-----------------	--

## 1 Draft Agenda

Agenda Item	Subject	Document
1	Opening of the meeting and introduction of delegates	
2	Adoption of agenda	IPR01(07)01
3	Appointment of Vice-Chairman	IPR01(07)13
4	Clarifications on Scope, Terms of Reference and group participation	IPR01(07)02
5	IPR R AHG Recommendation 7 – Regrouping Patent families in the ETSI IPR Database	IPR01(07)03 IPR01(07)17 IPR01(07)04 IPR01(07)05 IPR01(07)10r1 IPR01(07)11 IPR01(07)16 IPR01(07)18r1
6	Options within Standards and Technical Specification	IPR01(07)06 IPR01(07)17
7	Handling of antitrust issues in ETSI	IPR01(07)07 IPR01(07)17 IPR01(07)08 IPR01(07)12 IPR01(07)15 IPR01(07)19r1
8	IPR Information Statement and Licensing Declaration	IPR01(07)17 IPR01(07)09 IPR01(07)14
9	Any other business	

## 2 Timetable

**Tuesday 18th December 2007**

10h00 Start of meeting  
 18h00 End of 1st day

**Wednesday 19th December 2007**

***ETSI/IPR01(07)XX***  
page 2 of 2

09h00	Start of meeting
16h00	Closure of meeting

# Exhibit 5



Sophia Antipolis, 23 October 2007

**Mr. Óskar S. MAGNÚSSON**  
Business and Regulatory Director  
**ANDREW CORPORATION**  
51 Changi Business Park Central 2  
#08-04 The Signature  
SINGAPORE 486066

Our ref.: L2007-034

Dear Mr. Magnússon,

Thank you for your e-mail of 23 October 2007.

As per your request, please find enclosed a copy of the letter that ETSI has sent to TruePosition Inc.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Weigel". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Dr. Walter Weigel  
Director General

Jørgen Friis  
Deputy Director-General  
ETSI

Enclosure

**B 36**



Sophia Antipolis, 19 October 2007

**Ms Terri BROOKS**

**TRUE POSITION, INC.**  
c/o Rob Anderson  
1000 Chesterbrook Blvd.  
3rd Floor Suite 200  
PA 19312, Berwyn  
UNITED STATES OF AMERICA

**Our ref.:** L2007-034

**Subject:** IPRs related to the ETSI TS 143 059, TS 144 060, TS 144 071, TS 148 018, TS 148 071 and TS 149 031

Dear Ms Brooks,

It has been brought to our attention that your company might have essential IPRs relating to the ETSI Technical Specifications TS 143 059, TS 144 060, TS 144 071, TS 148 018, TS 148 071 and TS 149 031. In this context, we have been informed that particularly TruePosition's U.S. Patent No. 5,327,144 may be essential to the ETSI Technical Specifications or options therein.

Under the ETSI IPR Policy, I am obliged to bring this matter to your attention to ascertain whether you are of the opinion that you hold essential, or potentially essential, IPRs related to the abovementioned Technical Specifications or options therein.

If this were the case, we would ask you to disclose any essential IPR and indicate if you are prepared to grant licenses for this/these IPR(s), in accordance with the terms and conditions set out in Clause 6.1 of the ETSI IPR Policy.

To assist you in your declaration, ETSI disposes of the so called IPR Information Statement and Licensing Declaration forms, which you can download from <http://www.etsi.org/legal/IPR-Forms>.

Please do not hesitate to contact me or our Legal Service (email: [legal@etsi.org](mailto:legal@etsi.org)) for any question or remark you may have.

Yours sincerely,

A handwritten signature in black ink, appearing to be "W. Weigel", written over a horizontal line.

Dr. Walter Weigel  
Director General

*European Telecommunications Standards Institute - Institut Européen des Normes de Télécommunication - Europäisches Institut für Telekommunikationsnormen*

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